IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO.160 OF 2007
IN
CHAMBER SUMMONS NO.156 OF 2005
AND
CHAMBER SUMMONS NO.402 OF 2005
IN
SUIT NO.3750 OF 2000

Vinodkumar V. Kanabar & Ors. .... Appellants
Vs.
Laxmidas S. Shetty & Anr. .... Respondents

Sarvasri Jaydeep Deo i/b P.K. Dhakephalkar
for the Appellants.

Shri S.B. Prabhavalkar for the Respondents.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: MARCH 21, 2007

P.C:

By the impugned order the learned single Judge has allowed the plaintiffs/respondents to withdraw the amount which was deposited by the plaintiffs towards royalty payable to the Court Receiver. Undisputedly, the Court Receiver has been discharged and the appeal filed against the order of discharge has also been dismissed. In the circumstances, no fault can be found with the impugned order allowing the plaintiffs to withdraw the amount deposited by the plaintiffs as royalty payable to the Court Receiver during the time the property was under the custody of the Court

Receiver. Needless to say that all the observations made in the impugned order shall not affect the rights of the parties in the suit nor shall come in the way of the learned single Judge while deciding the matters arising in the said suit. With these observations, as no further interference is necessary in the impugned order, the appeal is disposed of.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

sjs/m7a160.7